

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRENDA FARROW,)
)
 Plaintiff)
) No. 3:13-0239
 v.) Judge Sharp/Bryant
)
 COMPREHENSIVE PAIN SPECIALISTS,)
 REBECCA PIERCE,)
)
 Defendants)

TO: THE HONORABLE KEVIN H. SHARP

REPORT AND RECOMMENDATION

On October 17, 2013, the undersigned Magistrate Judge entered an order to show cause requiring Plaintiff Brenda Farrow to show cause why her complaint should not be dismissed for her failure to obtain service of process upon Defendants in this action. This order required Plaintiff to make such a showing no later than November 1, 2013 (Docket Entry No. 13). This order further admonished Plaintiff that her failure to respond may cause the undersigned Magistrate Judge to recommend that her complaint be dismissed.

The record indicates that the copy of this order to show cause mailed to Plaintiff has been returned by the post office marked "MOVED LEFT NO ADDRESS - UNABLE TO FORWARD - RETURN TO SENDER" (Docket Entry Nos. 15 and 16). It therefore appears from the record that Plaintiff Farrow has failed to obtain service of process upon the Defendants within the time provided by Rule 4(m) of the Federal Rules of Civil Procedure, that she has failed to seek an extension of time within which to obtain service of process and has further failed to show good cause for her failure. Finally,

it appears that Plaintiff has failed to keep the Clerk informed of her current mailing address.

For the foregoing reasons, the undersigned Magistrate Judge finds that Plaintiff's complaint should be dismissed for her failure to obtain service of process upon any Defendants within the time provided by Rule 4(m) of the Federal Rules of Civil Procedure.

RECOMMENDATION

For the reasons stated above, the undersigned Magistrate Judge recommends that Plaintiff's complaint be DISMISSED with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

ENTER this 8th day of November, 2013.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge